

health in the 21st century as coverage of doctor visits and hospital stays was in the 20th century.

If you want to see the real difference between Democrats and Republicans, look at Medicare prescription drug coverage. While Republicans protect the pharmaceutical industry's profits, Democrats protect seniors from skyrocketing prescription drug costs. I urge my colleagues to look at the fine print, and to vote for this legislation when the opportunity arises.

#### INTRODUCTION OF THE CHILD MEDICATION SAFETY ACT OF 2003

**HON. MAX BURNS**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 11, 2003*

Mr. BURNS. Mr. Speaker, today I am pleased to introduce the Child Medication Safety Act of 2003. This legislation will address a significant problem facing children and their parents throughout the nation and provide parents with protections from being forced into making decisions about their child's health under duress.

Last year, the House Government Reform Committee held a hearing exploring an issue that should shock all of us. Witnesses at this hearing testified that some school officials have taken it upon themselves to decide that a child needs to be placed on psychotropic drugs. These school officials are not licensed medical practitioners, and yet they have felt comfortable telling parents that their child must be on a psychotropic drug or their child would not be allowed to attend school any longer.

This is unconscionable.

No parent should ever be coerced by a teacher or principal or other school official to place their child on a psychotropic drug. No child should ever face the denial of educational services only because they are not taking a psychotropic drug.

What are these psychotropic drugs? Ritalin, Adderall, and others are drugs that, when carefully prescribed by a licensed medical practitioner and carefully monitored in the administration, can help an individual with attention deficit disorder (ADD) or attention deficit-hyperactivity disorder (ADHD) control the symptoms of their disease so that they can function. These can be miracle drugs for many people, and when properly diagnosed and properly administered, many people benefit greatly from these drugs.

But psychotropic drugs also have a dark side. These drugs are listed on Schedule II of the Controlled Substances Act. Drugs are placed on Schedule II when: "(A) The drug or other substance has a high potential for abuse; (B) The drug or other substance has a currently accepted medical use in treatment in the United States or a currently accepted medical use with severe restrictions; or (C) Abuse of the drug or other substances may lead to severe psychological or physical dependence."

Why are parents being forced by some schools to place their child on a drug that "may lead to severe psychological or physical dependence?" These are drugs that have a high potential for abuse. These are drugs that the DEA says have a high diversion rate. This is unreal.

Teachers, principals, or other school personnel may mean well, and may think that they are doing the right thing, but most are not trained medical personnel and have absolutely no business forcing a parent to choose between their child's education and the potential harm of these drugs.

Now I do not want to demonize these drugs. When a licensed medical practitioner properly diagnoses a child as needing these drugs, the administration of these drugs may be entirely appropriate and very beneficial. But these decisions must be made without coercion or threat of the denial of education.

This Act has a simple message: states that take federal education funds must prevent school district personnel, teachers, principals, and other non-licensed medical professionals, from forcing a child to be on psychotropic drugs in order to attend school or receive services.

This is a common sense piece of legislation, and I strongly encourage my colleagues to support this bill.

#### THE PRESIDENT'S COMMISSION ON THE UNITED STATES POSTAL SERVICE

**HON. ELIJAH E. CUMMINGS**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 11, 2003*

Mr. CUMMINGS. Mr. Speaker, I would like to insert into the RECORD a letter from the Congressional Black Caucus (CBC) sent to Mr. Dennis Shea, Executive Director of the President's Commission on the United States Postal Service (Commission). The President's nine-member bipartisan Commission was established to identify the operational, structural, and financial challenges facing the Postal Service; examine potential solutions; and recommend legislative and administrative steps to ensure the long-term viability of postal service in the United States. The Commission will submit its report to the President by July 31, 2003.

The letter outlines concerns the CBC and many of its constituents have with issues before the Commission. The CBC believes that:

First, before we change the United States Postal Service to accommodate modern technologies (Internet, electronic transfers, electronic bill payments), it is important to bear in mind that millions of Americans do not have the access or ability to use these services, especially those who are economically disadvantaged, and older Americans;

Second, considering the possibility of the privatization of the United States Postal Service, it seems clear that small rural and inner city markets will not support private business, thus leading to a reduction in the level of services and the ability of people living in these markets to communicate; and

Lastly, drastic change to the structure of the United States Postal Service also has the potential of reducing employment opportunities for veterans (who enjoy preferential employment) and groups under-represented in private industry (women and people of color).

Thus, any effort to dismantle the United States Postal Service could serve to negatively impact those populations traditionally marginalized in our country. I urge the Com-

mission to look into the concerns outlined in the CBC's letter. I urge the President to carefully consider the Commission's recommendations in light of these concerns.

CONGRESSIONAL BLACK CAUCUS,

*Washington, DC, February 21, 2003.*

Mr. DENNIS SHEA,

*Executive Director, President's Commission on the U.S. Postal Service, Washington, DC.*

DEAR MR. SHEA: On behalf of the Congressional Black Caucus, we respectfully submit the following comments regarding the extremely important issues before the Commission on the United States Postal Service.

President Bush established the Commission on the United States Postal Service on the premise that modern telecommunications, the Internet, electronic transfers and electronic bill paying may justify or require changes in the Postal Service. However, millions of Americans, especially those who are economically disadvantaged and older Americans, do not have access to these means of communication. For them, the Postal Service continues to provide the only practical and available means of communication and commerce. Any change to the Postal Service that would affect the continued availability of universal mail service at uniform rates would threaten to further erode their economic security.

Some advocates of changes in the Postal Service also advocate privatization of the Postal Service. That movement, too, is based on the false premise that we may be able to dispense with the provision of universal service. For Americans in our rural areas and for many in our inner cities, a profit motive cannot support provision of essential services. This has always been and must remain the responsibility of our government. It is essential that there remain a universal postal system that spreads the cost of maintaining universal service among all those who use it. Any change that would favor the efficiency of private markets over the public interest in communications among all Americans would further isolate Americans who are already disadvantaged by economic circumstance or geographical location. We urge you not to support any policy that might permit that to happen.

We also want to caution against any change that would undermine the economic security of postal employees. In the Postal Reorganization Act of 1970, Congress recognized that employees of the former Post Office Department of the federal government were severely underpaid and labored in very unfavorable working conditions. In that Act, Congress improved postal wages and provided for free collective bargaining by unions representing postal employees. That system has worked very well. In the more than thirty years since Congress authorized the last wage increase for postal employees, postal wages have kept pace with inflation, and there has been no major work stoppage of the sort that disrupted postal services in 1970.

The Postal Service employs hundreds of thousands of women, African-Americans and other racial minorities. For many of these postal employees, the fact that the Postal Service provides a living wage and adequate fringe benefits, regardless of race or gender, has been critically important. This is in contrast to the private sector of our economy, where there remains an unfortunate disparity between the employment opportunities and compensation available to white males and the opportunities and compensation available to women and racial minorities. Therefore, any effort to dismantle the Postal Service would be a regressive step, contrary to our national effort to provide equal employment opportunities for women and racial minorities.

In the same vein, we are mindful of the large number of veterans employed by the Postal Service. Our promises and commitment to these veterans must not be forgotten or diminished. In their military service, and in their postal service, these veterans have served their country. It is necessary and appropriate that we continue to recognize their sacrifices by providing them preferential employment opportunities in government positions, including positions in the Postal Service.

Thank you for your careful consideration of our comments.

Sincerely,

ELIJAH E. CUMMINGS,  
Chair, CBC.  
DANNY K. DAVIS,  
Ranking Member, Special  
Committee on  
Postal Services.

#### INTRODUCTION OF THE MEDICARE Rx DRUG BENEFIT AND DIS- COUNT ACT

#### HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 2003

Mr. STARK. Mr. Speaker, today, House Democrats answer the public's call for a real Medicare prescription drug benefit.

The Medicare Prescription Drug Benefit and Discount Act is an entitlement that will guarantee affordable, comprehensive prescription drug coverage to all senior citizens and individuals with disabilities who are on Medicare.

The benefit in this legislation is simple. It has no gaps, and no gimmicks. Beneficiaries will pay a \$25 monthly premium, have a \$100 per year deductible, and pay 20 percent co-insurance up to a \$2000 out-of-pocket limit. After a beneficiary spends \$2000, Medicare pays for all other needed prescription drugs. Under this legislation, a beneficiary will never pay more than \$2000 for prescription drugs in a year, and most beneficiaries will pay far less.

This legislation provides additional assistance to those with lower incomes. Beneficiaries whose incomes are under 150 percent of poverty will pay no premiums and no cost-sharing. Those with incomes between 150–175 percent of poverty will receive premium subsidies on a sliding scale basis and pay no cost-sharing. Unlike the House-passed Republican bill from last year, there is no hidden hatchet to deny benefits to low-income seniors who have modest assets.

These Medicare benefits will be guaranteed for everyone on Medicare, regardless of where they live and regardless of whether they are in the traditional Medicare program or a private plan. No senior will be forced to leave Medicare for a private plan in order to receive meaningful prescription drug coverage.

This legislation also tackles one of the biggest problems facing seniors, the uninsured, and all Americans: astronomical prescription drug prices. This bill will reduce Medicare prescription drug costs by using the market clout of 40 million Medicare beneficiaries to negotiate lower prices. It will also reduce prescription drug costs for all Americans by closing loopholes in current law that allow pharmaceutical companies to game the patent system and prevent competition from equally effective, but lower cost, generic drugs.

The Medicare Prescription Drug Benefit and Discount Act will guarantee the choices that matter. Under our plan, Medicare will pay toward the cost of every prescription drug, not just those for which a private insurance company cut a special deal with a drug maker. Seniors will be covered for any drug their doctor prescribes. And, under our plan, every pharmacy that is willing to play by the rules will be welcome to participate. Seniors will be able to go to the pharmacy of their choice.

And, importantly, unlike the President's plan and the Congressional Republicans' plan, our plan will never force elderly or disabled Americans to give up traditional Medicare in order to get a prescription drug benefit. Beneficiaries will be free to choose between the traditional Medicare program and private plans. But it will be a real choice, not coerced through the lure of a more generous prescription drug benefit.

The prescription drug coverage in the Democratic bill will seem just like any other Medicare benefit, because it is a Medicare benefit.

Don't be fooled by Republican rhetoric. They like to talk about choices, but in the end their proposals all boil down to one choice for seniors—choose either the doctor you know and trust or the medicines you know you need. This is not a choice that anyone should have to make.

The Administration claims to offer seniors the same choices that Members of Congress and federal employees get through the Federal Employees Health Benefits Program (FEHBP). Again, this is nothing more than hyperbole. Almost all Members of Congress, and most federal employees, are in the Blue Cross Standard Option plan in FEHBP. That plan offers a drug benefit with no deductible, a 25 percent copayment, and a \$4000 cap on all medical spending per year. No Republican has come forth with a comparable Medicare prescription drug benefit. Our bill does just that.

The Republicans' goal is simple: they are using the promise of a prescription drug benefit to attempt to privatize Medicare. No matter how you measure it, beneficiaries will pay more and get less under the Republican plan. At the same time, they are doling out hundreds of billions of dollars in federal tax dollar giveaways to their friends in the insurance and pharmaceutical industries.

Our legislation will not be cheap. But none of us question the cost of covering doctor visits and hospital stays under Medicare today. I would argue that prescription drug coverage is as essential to good health care in the 21st century as physician and hospital care was in the 20th century when Medicare was created.

The President has committed \$400 billion to a Medicare drug benefit and so-called Medicare reform. On top of that, he's committed \$726 billion to an economic stimulus plan that includes dividend cuts and speeding up tax breaks for the very richest among us. No one believes that this tax cut will provide real economic stimulus. If he would simply reduce its size, we could rededicate those funds to improving Medicare. That is a much more important priority for our nation than more tax cuts for those who need them least.

Unfortunately, it is not the goal of Republicans to create an affordable, meaningful prescription drug benefit in Medicare that works for all our Medicare beneficiaries of today and tomorrow. Instead, their prescription drug pro-

posals are designed simply to provide political cover for the President and Republican Members of Congress—and to allow them to privatize Medicare so that the federal government's expenses are protected rather than protecting the expenses of seniors and people with disabilities.

Our bill meets the needs of the 40 million Americans who depend on Medicare. That's why the leading beneficiary organizations support this legislation. This is the drug benefit America's seniors and people with disabilities need and deserve. I urge my colleagues to join us in support of a real Medicare drug benefit by pushing for passage of the Medicare Rx Drug Benefit and Discount Act this year.

#### IN OBSERVANCE OF TIBETAN UPRISING DAY

#### HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 2003

Ms. PELOSI. Ms. Speaker, I rise in honor of Tibetan Uprising Day. Yesterday, Human Rights Watch reported that two Tibetan businessmen have been detained by Chinese authorities, apparently on suspicion of leaking information on the torture and trial of other Tibetan activists. It was an important reminder of the continued need to speak out against human rights abuses by the Chinese government. The following is my statement in observance of Tibetan Uprising Day that was read yesterday in Washington, D.C. and San Francisco:

Thank you to Bay Area Friends of Tibet and other Bay Area Tibet Support Groups for organizing this special observance of Tibetan Uprising Day. I am proud to represent a district where protecting human rights is a top priority.

Today we honor the courage and determination of those who stood against the Chinese Government's brutal oppression of the Tibetan People during the Lhasa Uprising 44 years ago. We also pay tribute to the thousands of Tibetans who have sacrificed and died opposing Chinese occupation, as well as all Tibetans who have suffered human rights abuses due to their religious, political or cultural beliefs or activities.

I am deeply concerned about the Chinese government's continued repression of the Tibetan people. The PRC continues to commit horrible human rights abuses, including instances of torture, arbitrary arrest, detention without public trial, and lengthy detention of Tibetan nationalists for peacefully expressing their political or religious views.

Two weeks ago, 78 of my colleagues in Congress and I wrote to Vice President Hu condemning the execution of Mr. Lobsang Dhondup. We also strongly urged him to commute the sentences of Tenzin Delek Rinpoche and Tserang Dondrup, and to release the others currently being held in connection with this case. These individuals were held incommunicado and suffered torture, and their trials were conducted under highly restrictive conditions and without counsel of their choosing.

The Chinese government denied all requests by the U.S. Consulate in Chengdu to observe these legal proceedings that reportedly did not meet United Nations' minimum standards of due process. Such abuses of judicial processes and disingenuous actions on